

JAN 13 2010 QC
S E S O R 3 0 1 8

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHEPARD FAIREY and OBEY GIANT ART, INC.,)
Plaintiffs,)
v.)
THE ASSOCIATED PRESS,)
Defendant/Counterclaim Plaintiff,)
v.)
SHEPARD FAIREY, OBEY GIANT ART, INC., OBEY GIANT LLC, STUDIO NUMBER ONE, INC. and ONE 3 TWO, INC. (d/b/a OBEY CLOTHING),)
Counterclaim Defendants,)
and)
MANNIE GARCIA,)
Defendant/Intervener and Counterclaim/Cross claim Plaintiff,)
v.)
SHEPARD FAIREY AND OBEY GIANT ART, INC.,)
Counterclaim Defendants,)
and)
THE ASSOCIATED PRESS,)
Crossclaim Defendant.)
----- x

Civil Action No.: 09-1123 (AKH)

MOTION FOR ADMISSION OF JORDAN A. GIMBEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Chris J. Lopata, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

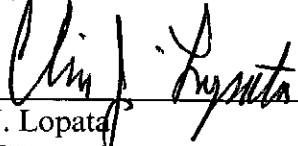
Jordan A. Gimbel
Jones Day
555 S. Flower Street, 50th Floor
Los Angeles, CA 90071
Phone: (213) 243-2559
Fax: (213) 243-2539
Email jagimbel@jonesday.com

Mr. Gimbel is a member in good standing of the State Bar of California and there are no pending disciplinary proceedings against Mr. Gimbel in any state or Federal court.

This motion is based upon the accompanying Declaration of Chris J. Lopata and upon all other papers and proceedings in this action.

Dated: January 3, 2010

Respectfully submitted,


Chris J. Lopata
Jones Day
222 East 41st Street
New York, NY 10017
Facsimile: (212) 755-7306

Attorneys for Plaintiffs and Counterclaim Defendants
SHEPARD FAIREY, OBEY GIANT ART, INC., OBEY GIANT LLC and STUDIO NUMBER ONE, INC.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x
SHEPARD FAIREY and OBEY GIANT) Civil Action No.: 09-1123 (AKH)
ART, INC.,)
Plaintiffs,)
v.)
THE ASSOCIATED PRESS,)
Defendant/Counterclaim)
Plaintiff,)
v.)
SHEPARD FAIREY, OBEY GIANT ART,)
INC., OBEY GIANT LLC, STUDIO)
NUMBER ONE, INC. and ONE 3 TWO,)
INC. (d/b/a OBEY CLOTHING),)
Counterclaim Defendants,)
and)
MANNIE GARCIA,)
Defendant/Intervener and)
Counterclaim/Cross claim)
Plaintiff,)
v.)
SHEPARD FAIREY AND OBEY GIANT)
ART, INC.,)
Counterclaim Defendants,)
and)
THE ASSOCIATED PRESS,)
Cross claim Defendant.)
----- x

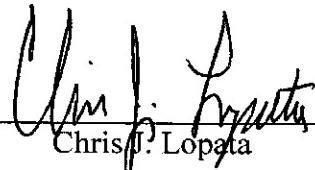
I, Chris J. Lopata, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney with the firm of Jones Day, counsel for Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC and Studio Number One, Inc. in the above-captioned action. I am admitted to practice in, and a member in good standing of, the bars of the State of New York and the United States District Court for the Southern District of New York. I respectfully submit this Declaration in support of Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC and Studio Number One, Inc.'s motion, pursuant to Local Civil Rule 1.3(c), for the admission of Jordan A. Gimbel to the bar of this Court *pro hac vice*.

2. Mr. Gimbel is an attorney of the law firm of Jones Day and is a resident in the firm's Los Angeles office. He is a member in good standing of the bar of the State of California and is admitted to practice in the courts of the State of California. Attached hereto as Exhibit A is Mr. Gimbel's certificate of good standing for the bar of the State of California. He is familiar with the Federal Rules of Civil Procedure and the Local Civil Rules of this Court.

3. For the reasons set forth above, I respectfully request that Mr. Gimbel be admitted to the bar of this Court *pro hac vice*.

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on this 13th day of January, 2010.


Chris J. Lopata



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

December 21, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JORDAN ALAN GIMBEL, #220250 was admitted to the practice of law in this state by the Supreme Court of California on June 17, 2002; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Sima La Fontaine".

Sima La Fontaine
Custodian of Membership Records

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x
SHEPARD FAIREY and OBEY GIANT) Civil Action No.: 09-1123 (AKH)
ART, INC.,)
Plaintiffs,)
v.) [PROPOSED ORDER]
THE ASSOCIATED PRESS,)
Defendant/Counterclaim)
Plaintiff,)
v.)
SHEPARD FAIREY, OBEY GIANT ART,)
INC., OBEY GIANT LLC, STUDIO)
NUMBER ONE, INC. and ONE 3 TWO,)
INC. (d/b/a OBEY CLOTHING),)
Counterclaim Defendants,)
and)
MANNIE GARCIA,)
Defendant/Intervener and)
Counterclaim/Cross claim)
Plaintiff,)
v.)
SHEPARD FAIREY AND OBEY GIANT)
ART, INC.,)
Counterclaim Defendants,)
and)
THE ASSOCIATED PRESS,)
Cross claim Defendant.)
----- x

CERTIFICATE OF SERVICE

The undersigned, an attorney authorized to practice law before this Court, hereby certifies that on January 13, 2010, a true copy of the foregoing **Motion for Admission of Jordan A. Gimbel Pro Hac Vice, Declaration of Chris J. Lopata and the [Proposed Order]** were served upon all counsel identified on the following service list by email.

Dale M. Cendali
Kirkland & Ellis LLP
Citigroup Center
153 East 53rd Street, 36th Floor
New York, NY 10022
Tel: (212) 446-4800
Fax: (212) 446-4900
Email: dale.cendali@kirkland.com

Attorneys for The Associated Press

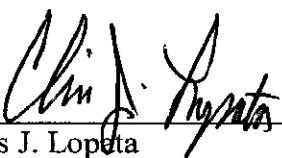
George F. Carpinello
Boies, Schiller & Flexner LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207
Tel: (518) 434-0600
Fax: (518) 434-0665
Email: gcarpinello@bsflp.com

Bradford E. Kile
Kile Goekjian Reed & McManus PLLC
1200 New Hampshire Ave., NW
Suite 570
Washington, D.C. 20036
Tel: (202) 659-8000
Fax: (202) 659-8822
Email: bkile@kgmrlaw.com

Attorneys for Mannie Garcia

Jeanne A. Fugate
Caldwell Leslie & Proctor, PC
1000 Wilshire Boulevard, Suite 600
Los Angeles, CA 90017-2463
Tel: (213) 629-9040
Fax: (213) 629-9022
Email: fugate@caldwell-leslie.com

Attorneys for One 3 Two, Inc.



Chris J. Lopata